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Attorneys for Plaintiff and Real Party in Interest

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

INTERNATIONAL CHURCH

FOURSQUARE GOSPEL,

Plaintiff,

v.

CITY OF SAN LEANDRO, MICHAEL )

J. GREGORY (in his official capacity), )

SURLENE G. GRANT(in her official )

capacity), DIANA M. SOUZA(in her )

official capacity), JOYSE R. )

STAROSCIACK (in her official )

capacity), BILL STEPHES (in his )

) Case No.: CO7-03605-PJH-JCS

)

) **DECLARATION OF FAITHKIDZ**

) **MINISTRY DIRECTOR CASEY**

) **LEE IN SUPPORT OF MOTION**

) **FOR PRELIMINARY INJUNCTION**

)

)

) Date: September 5, 2007

) Time: 9:00 a.m.

) Courtroom: 3

) Hon.: Phyllis J. Hamilton

1 official capacity), JIM PROLA (in his )  
2 official capacity), JOHN JERMANIS(in )  
3 his official and individual capacities), )  
4 DEBBIE POLLART (in her official and )  
5 individual capacities), DOES 1-50, )  
6 Defendants. )  
7 FAITH FELLOWSHIP FOURSQUARE )  
8 CHURCH, )  
9 Real Party in Interest. )

10 I, Casey Lee, do hereby declare as follows:

11 1. That if called upon, I could and would testify truthfully, as to my own  
12 personal knowledge, as follows:

13 2. I am one of the FaithKidz Ministry Directors for Faith Fellowship  
14 Worship Center (CHURCH), located at 577 Manor Boulevard, San Leandro,  
15 California 94579.  
16

17 3. The denial of the use of the CATALINA PROPERTY by the City of  
18 San Leandro (CITY) against Faith Fellowship has had an adverse impact on the  
19 FaithKidz Ministry. We lose opportunities to provide Christian learning  
20 experiences or share the Gospel with children when we are forced to close full  
21 classrooms because the CATALINA PROPERTY is unavailable. This results in a  
22 substantial burden on our religious exercise.  
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DECLARATION OF CASEY LEE

1           4. Not only has the FaithKidz Ministry's fellowship and staff been  
2 burdened, the parents and children in the FaithKidz Ministry have also been  
3 substantially burdened. For example, on June 3, 2007, a mother and her three  
4 children came to church twenty minutes late (she was late because there was no  
5 close parking and she had to walk five blocks to attend church). When she arrived  
6 with her three children (grade three, grade one, and age five) the youngest child's  
7 class was closed. The classroom's number of children and teacher to child ratio  
8 were at capacity. (We have health and safety regulations put on us, by our  
9 denomination (International Church of the Foursquare Gospel), in regards to the  
10 number of children allowed per adult, and the maximum number of children that we  
11 can allow in a classroom). This mother was very exacerbated because she had to  
12 walk five blocks. When she arrived, classroom was closed for her five year old  
13 daughter, and she had to find a seat in a crowded sanctuary with a wiggly five year  
14 old. Frustrated, this mother was ready to leave the CHURCH. As shown, the free  
15 religious exercise of parents and children at Faith Fellowship are being substantially  
16 burdened by the CITY in not allowing the use of our new facility.

17  
18           6. The above situation has occurred many times. Almost every Sunday a  
19 classroom has to be closed due to facility space restrictions. Closed classrooms  
20 deny us the ability to minister to all of the children that attend Faith Fellowship's  
21 FaithKidz Ministry. Sadly, Sunday after Sunday we have to close FaithKidz  
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1 Ministry classrooms. This breaks our hearts. God has placed a desire on our hearts  
2 to minister to these children. Unfortunately, the size of our building has prohibited  
3 this ministry from reaching all of them. This is a substantial burden on our free  
4 practice of religion.  
5

6 I declare, under penalty of perjury under the laws of the State of California  
7 and the United States of America, that the foregoing is true and correct and is of my  
8 own personal knowledge, and indicate such below by my signature executed on this  
9 12<sup>th</sup> day of July, 2007, in the County of Alameda, City of San Leandro.  
10  
11  
12  
13  
14

15 /S/ Casey Lee  
16 Casey Lee, Declarant  
17

18 **Attorney Attestation re Signature**  
19

20 I hereby attest that I have on file all holograph signatures for any signatures  
21 indicated by a "conformed" signature (/S/) within this efiled document.  
22

23 /S/ Kevin Snider  
24 Kevin T. Snider  
25 Mathew B. McReynolds  
26 Peter D. MacDonald  
27 Attorneys for Plaintiff and  
28 Real Party in Interest